



Rep. Suzanne Bassi

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09500HB1134ham003

LRB095 10897 JAM 36221 a

1 AMENDMENT TO HOUSE BILL 1134

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1134 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by  
5 changing Sections 7-132 and 14-103.05 and by adding Sections  
6 7-139.12 and 14-104.13 as follows:

7 (40 ILCS 5/7-132) (from Ch. 108 1/2, par. 7-132)

8 Sec. 7-132. Municipalities, instrumentalities and  
9 participating instrumentalities included and effective dates.

10 (A) Municipalities and their instrumentalities.

11 (a) The following described municipalities, but not  
12 including any with more than 1,000,000 inhabitants, and the  
13 instrumentalities thereof, shall be included within and be  
14 subject to this Article beginning upon the effective dates  
15 specified by the Board:

1           (1)     Except as to the municipalities and  
2     instrumentalities thereof specifically excluded under this  
3     Article, every county shall be subject to this Article, and  
4     all cities, villages and incorporated towns having a  
5     population in excess of 5,000 inhabitants as determined by  
6     the last preceding decennial or subsequent federal census,  
7     shall be subject to this Article following publication of  
8     the census by the Bureau of the Census. Within 90 days  
9     after publication of the census, the Board shall notify any  
10    municipality that has become subject to this Article as a  
11    result of that census, and shall provide information to the  
12    corporate authorities of the municipality explaining the  
13    duties and consequences of participation. The notification  
14    shall also include a proposed date upon which participation  
15    by the municipality will commence.

16           However, for any city, village or incorporated town  
17    that attains a population over 5,000 inhabitants after  
18    having provided social security coverage for its employees  
19    under the Social Security Enabling Act, participation  
20    under this Article shall not be mandatory but may be  
21    elected in accordance with subparagraph (3) or (4) of this  
22    paragraph (a), whichever is applicable.

23           (2) School districts, other than those specifically  
24    excluded under this Article, shall be subject to this  
25    Article, without election, with respect to all employees  
26    thereof.

1           (3) Towns and all other bodies politic and corporate  
2           which are formed by vote of, or are subject to control by,  
3           the electors in towns and are located in towns which are  
4           not participating municipalities on the effective date of  
5           this Act, may become subject to this Article by election  
6           pursuant to Section 7-132.1.

7           (4) Any other municipality (together with its  
8           instrumentalities), other than those specifically excluded  
9           from participation and those described in paragraph (3)  
10          above, may elect to be included either by referendum under  
11          Section 7-134 or by the adoption of a resolution or  
12          ordinance by its governing body. A copy of such resolution  
13          or ordinance duly authenticated and certified by the clerk  
14          of the municipality or other appropriate official of its  
15          governing body shall constitute the required notice to the  
16          board of such action.

17          (b) A municipality that is about to begin participation  
18          shall submit to the Board an application to participate, in a  
19          form acceptable to the Board, not later than 90 days prior to  
20          the proposed effective date of participation. The Board shall  
21          act upon the application within 90 days, and if it finds that  
22          the application is in conformity with its requirements and the  
23          requirements of this Article, participation by the applicant  
24          shall commence on a date acceptable to the municipality and  
25          specified by the Board, but in no event more than one year from  
26          the date of application.

1           (c) A participating municipality which succeeds to the  
2 functions of a participating municipality which is dissolved or  
3 terminates its existence shall assume and be transferred the  
4 net accumulation balance in the municipality reserve and the  
5 municipality account receivable balance of the terminated  
6 municipality.

7           (d) In the case of a Veterans Assistance Commission whose  
8 employees were being treated by the Fund on January 1, 1990 as  
9 employees of the county served by the Commission, the Fund may  
10 continue to treat the employees of the Veterans Assistance  
11 Commission as county employees for the purposes of this  
12 Article, unless the Commission becomes a participating  
13 instrumentality in accordance with subsection (B) of this  
14 Section.

15       (B) Participating instrumentalities.

16           (a) The participating instrumentalities designated in  
17 paragraph (b) of this subsection shall be included within and  
18 be subject to this Article if:

19               (1) an application to participate, in a form acceptable  
20 to the Board and adopted by a two-thirds vote of the  
21 governing body, is presented to the Board not later than 90  
22 days prior to the proposed effective date; and

23               (2) the Board finds that the application is in  
24 conformity with its requirements, that the applicant has  
25 reasonable expectation to continue as a political entity

1 for a period of at least 10 years and has the prospective  
2 financial capacity to meet its current and future  
3 obligations to the Fund, and that the actuarial soundness  
4 of the Fund may be reasonably expected to be unimpaired by  
5 approval of participation by the applicant.

6 The Board shall notify the applicant of its findings within  
7 90 days after receiving the application, and if the Board  
8 approves the application, participation by the applicant shall  
9 commence on the effective date specified by the Board.

10 (b) The following participating instrumentalities, so long  
11 as they meet the requirements of Section 7-108 and the area  
12 served by them or within their jurisdiction is not located  
13 entirely within a municipality having more than one million  
14 inhabitants, may be included hereunder:

15 i. Township School District Trustees.

16 ii. Multiple County and Consolidated Health  
17 Departments created under Division 5-25 of the Counties  
18 Code or its predecessor law.

19 iii. Public Building Commissions created under the  
20 Public Building Commission Act, and located in counties of  
21 less than 1,000,000 inhabitants.

22 iv. A multitype, consolidated or cooperative library  
23 system created under the Illinois Library System Act. Any  
24 library system created under the Illinois Library System  
25 Act that has one or more predecessors that participated in  
26 the Fund may participate in the Fund upon application. The

1 Board shall establish procedures for implementing the  
2 transfer of rights and obligations from the predecessor  
3 system to the successor system.

4 v. Regional Planning Commissions created under  
5 Division 5-14 of the Counties Code or its predecessor law.

6 vi. Local Public Housing Authorities created under the  
7 Housing Authorities Act, located in counties of less than  
8 1,000,000 inhabitants.

9 vii. Illinois Municipal League.

10 viii. Northeastern Illinois Metropolitan Area Planning  
11 Commission.

12 ix. Southwestern Illinois Metropolitan Area Planning  
13 Commission.

14 x. Illinois Association of Park Districts.

15 xi. Illinois Supervisors, County Commissioners and  
16 Superintendents of Highways Association.

17 xii. Tri-City Regional Port District.

18 xiii. An association, or not-for-profit corporation,  
19 membership in which is authorized under Section 85-15 of  
20 the Township Code.

21 xiv. Drainage Districts operating under the Illinois  
22 Drainage Code.

23 xv. Local mass transit districts created under the  
24 Local Mass Transit District Act.

25 xvi. Soil and water conservation districts created  
26 under the Soil and Water Conservation Districts Law.

1           xvii. Commissions created to provide water supply or  
2 sewer services or both under Division 135 or Division 136  
3 of Article 11 of the Illinois Municipal Code.

4           xviii. Public water districts created under the Public  
5 Water District Act.

6           xix. Veterans Assistance Commissions established under  
7 Section 9 of the Military Veterans Assistance Act that  
8 serve counties with a population of less than 1,000,000.

9           xx. The governing body of an entity, other than a  
10 vocational education cooperative, created under an  
11 intergovernmental cooperative agreement established  
12 between participating municipalities under the  
13 Intergovernmental Cooperation Act, which by the terms of  
14 the agreement is the employer of the persons performing  
15 services under the agreement under the usual common law  
16 rules determining the employer-employee relationship. The  
17 governing body of such an intergovernmental cooperative  
18 entity established prior to July 1, 1988 may make  
19 participation retroactive to the effective date of the  
20 agreement and, if so, the effective date of participation  
21 shall be the date the required application is filed with  
22 the fund. If any such entity is unable to pay the required  
23 employer contributions to the fund, then the participating  
24 municipalities shall make payment of the required  
25 contributions and the payments shall be allocated as  
26 provided in the agreement or, if not so provided, equally

1 among them.

2 xxi. The Illinois Municipal Electric Agency.

3 xxii. The Waukegan Port District.

4 xxiii. The Fox Waterway Agency created under the Fox  
5 Waterway Agency Act.

6 xxiv. The Illinois Municipal Gas Agency.

7 xxv. The Kaskaskia Regional Port District.

8 xxvi. The Southwestern Illinois Development Authority.

9 xxvii. The Cairo Public Utility Company.

10 xxviii. Except with respect to employees who elect to  
11 participate in the State Employees' Retirement System of  
12 Illinois under Section 14-104.13 of this Code, the Chicago  
13 Metropolitan Agency for Planning created under the  
14 Regional Planning Act, provided that, with respect to the  
15 benefits payable pursuant to Sections 7-146, 7-150, and  
16 7-164 and the requirement that eligibility for such  
17 benefits is conditional upon satisfying a minimum period of  
18 service or a minimum contribution, any employee of the  
19 Chicago Metropolitan Agency for Planning that was  
20 immediately prior to such employment an employee of the  
21 Chicago Area Transportation Study or the Northeastern  
22 Illinois Planning Commission, such employee's service at  
23 the Chicago Area Transportation Study or the Northeastern  
24 Illinois Planning Commission and contributions to the  
25 State Employees' Retirement System of Illinois established  
26 under Article 14 and the Illinois Municipal Retirement Fund

1           shall count towards the satisfaction of such requirements.

2           (c) The governing boards of special education joint  
3 agreements created under Section 10-22.31 of the School Code  
4 without designation of an administrative district shall be  
5 included within and be subject to this Article as participating  
6 instrumentalities when the joint agreement becomes effective.  
7 However, the governing board of any such special education  
8 joint agreement in effect before September 5, 1975 shall not be  
9 subject to this Article unless the joint agreement is modified  
10 by the school districts to provide that the governing board is  
11 subject to this Article, except as otherwise provided by this  
12 Section.

13           The governing board of the Special Education District of  
14 Lake County shall become subject to this Article as a  
15 participating instrumentality on July 1, 1997. Notwithstanding  
16 subdivision (a)1 of Section 7-139, on the effective date of  
17 participation, employees of the governing board of the Special  
18 Education District of Lake County shall receive creditable  
19 service for their prior service with that employer, up to a  
20 maximum of 5 years, without any employee contribution.  
21 Employees may establish creditable service for the remainder of  
22 their prior service with that employer, if any, by applying in  
23 writing and paying an employee contribution in an amount  
24 determined by the Fund, based on the employee contribution  
25 rates in effect at the time of application for the creditable  
26 service and the employee's salary rate on the effective date of

1 participation for that employer, plus interest at the effective  
2 rate from the date of the prior service to the date of payment.  
3 Application for this creditable service must be made before  
4 July 1, 1998; the payment may be made at any time while the  
5 employee is still in service. The employer may elect to make  
6 the required contribution on behalf of the employee.

7 The governing board of a special education joint agreement  
8 created under Section 10-22.31 of the School Code for which an  
9 administrative district has been designated, if there are  
10 employees of the cooperative educational entity who are not  
11 employees of the administrative district, may elect to  
12 participate in the Fund and be included within this Article as  
13 a participating instrumentality, subject to such application  
14 procedures and rules as the Board may prescribe.

15 The Boards of Control of cooperative or joint educational  
16 programs or projects created and administered under Section  
17 3-15.14 of the School Code, whether or not the Boards act as  
18 their own administrative district, shall be included within and  
19 be subject to this Article as participating instrumentalities  
20 when the agreement establishing the cooperative or joint  
21 educational program or project becomes effective.

22 The governing board of a special education joint agreement  
23 entered into after June 30, 1984 and prior to September 17,  
24 1985 which provides for representation on the governing board  
25 by less than all the participating districts shall be included  
26 within and subject to this Article as a participating

1 instrumentality. Such participation shall be effective as of  
2 the date the joint agreement becomes effective.

3 The governing boards of educational service centers  
4 established under Section 2-3.62 of the School Code shall be  
5 included within and subject to this Article as participating  
6 instrumentalities. The governing boards of vocational  
7 education cooperative agreements created under the  
8 Intergovernmental Cooperation Act and approved by the State  
9 Board of Education shall be included within and be subject to  
10 this Article as participating instrumentalities. If any such  
11 governing boards or boards of control are unable to pay the  
12 required employer contributions to the fund, then the school  
13 districts served by such boards shall make payment of required  
14 contributions as provided in Section 7-172. The payments shall  
15 be allocated among the several school districts in proportion  
16 to the number of students in average daily attendance for the  
17 last full school year for each district in relation to the  
18 total number of students in average attendance for such period  
19 for all districts served. If such educational service centers,  
20 vocational education cooperatives or cooperative or joint  
21 educational programs or projects created and administered  
22 under Section 3-15.14 of the School Code are dissolved, the  
23 assets and obligations shall be distributed among the districts  
24 in the same proportions unless otherwise provided.

25 (d) The governing boards of special recreation joint  
26 agreements created under Section 8-10b of the Park District

1 Code, operating without designation of an administrative  
2 district or an administrative municipality appointed to  
3 administer the program operating under the authority of such  
4 joint agreement shall be included within and be subject to this  
5 Article as participating instrumentalities when the joint  
6 agreement becomes effective. However, the governing board of  
7 any such special recreation joint agreement in effect before  
8 January 1, 1980 shall not be subject to this Article unless the  
9 joint agreement is modified, by the districts and  
10 municipalities which are parties to the agreement, to provide  
11 that the governing board is subject to this Article.

12 If the Board returns any employer and employee  
13 contributions to any employer which erroneously submitted such  
14 contributions on behalf of a special recreation joint  
15 agreement, the Board shall include interest computed from the  
16 end of each year to the date of payment, not compounded, at the  
17 rate of 7% per annum.

18 (e) Each multi-township assessment district, the board of  
19 trustees of which has adopted this Article by ordinance prior  
20 to April 1, 1982, shall be a participating instrumentality  
21 included within and subject to this Article effective December  
22 1, 1981. The contributions required under Section 7-172 shall  
23 be included in the budget prepared under and allocated in  
24 accordance with Section 2-30 of the Property Tax Code.

25 (f) The Illinois Medical District Commission created under  
26 the Illinois Medical District Act may be included within and

1 subject to this Article as a participating instrumentality,  
2 notwithstanding that the location of the District is entirely  
3 within the City of Chicago. To become a participating  
4 instrumentality, the Commission must apply to the Board in the  
5 manner set forth in paragraph (a) of this subsection (B). If  
6 the Board approves the application, under the criteria and  
7 procedures set forth in paragraph (a) and any other applicable  
8 rules, criteria, and procedures of the Board, participation by  
9 the Commission shall commence on the effective date specified  
10 by the Board.

11 (C) Prospective participants.

12 Beginning January 1, 1992, each prospective participating  
13 municipality or participating instrumentality shall pay to the  
14 Fund the cost, as determined by the Board, of a study prepared  
15 by the Fund or its actuary, detailing the prospective costs of  
16 participation in the Fund to be expected by the municipality or  
17 instrumentality.

18 (Source: P.A. 93-777, eff. 7-21-04; 94-1046, eff. 7-24-06.)

19 (40 ILCS 5/7-139.12 new)

20 Sec. 7-139.12. Transfer of creditable service to Article  
21 14. A person employed by the Chicago Metropolitan Agency for  
22 Planning (formerly the Regional Planning Board) on the  
23 effective date of this Section who was a member of the State  
24 Employees' Retirement System of Illinois as an employee of the

1 Chicago Area Transportation Study may apply for transfer of his  
2 or her creditable service as an employee of the Chicago  
3 Metropolitan Agency for Planning upon payment of (1) the  
4 amounts accumulated to the credit of the applicant for such  
5 service on the books of the Fund on the date of transfer and  
6 (2) the corresponding municipality credits, including  
7 interest, on the books of the Fund on the date of transfer.  
8 Participation in this Fund with respect to the transferred  
9 credits shall terminate on the date of transfer.

10 (40 ILCS 5/14-103.05) (from Ch. 108 1/2, par. 14-103.05)

11 Sec. 14-103.05. Employee.

12 (a) Any person employed by a Department who receives salary  
13 for personal services rendered to the Department on a warrant  
14 issued pursuant to a payroll voucher certified by a Department  
15 and drawn by the State Comptroller upon the State Treasurer,  
16 including an elected official described in subparagraph (d) of  
17 Section 14-104, shall become an employee for purpose of  
18 membership in the Retirement System on the first day of such  
19 employment.

20 A person entering service on or after January 1, 1972 and  
21 prior to January 1, 1984 shall become a member as a condition  
22 of employment and shall begin making contributions as of the  
23 first day of employment.

24 A person entering service on or after January 1, 1984  
25 shall, upon completion of 6 months of continuous service which

1 is not interrupted by a break of more than 2 months, become a  
2 member as a condition of employment. Contributions shall begin  
3 the first of the month after completion of the qualifying  
4 period.

5 A person employed by the Chicago Metropolitan Agency for  
6 Planning on the effective date of this amendatory Act of the  
7 95th General Assembly who was a member of this System as an  
8 employee of the Chicago Area Transportation Study and makes an  
9 election under Section 14-104.13 to participate in this System  
10 for his or her employment with the Chicago Metropolitan Agency  
11 for Planning.

12 The qualifying period of 6 months of service is not  
13 applicable to: (1) a person who has been granted credit for  
14 service in a position covered by the State Universities  
15 Retirement System, the Teachers' Retirement System of the State  
16 of Illinois, the General Assembly Retirement System, or the  
17 Judges Retirement System of Illinois unless that service has  
18 been forfeited under the laws of those systems; (2) a person  
19 entering service on or after July 1, 1991 in a noncovered  
20 position; or (3) a person to whom Section 14-108.2a or  
21 14-108.2b applies.

22 (b) The term "employee" does not include the following:

23 (1) members of the State Legislature, and persons  
24 electing to become members of the General Assembly  
25 Retirement System pursuant to Section 2-105;

26 (2) incumbents of offices normally filled by vote of

1 the people;

2 (3) except as otherwise provided in this Section, any  
3 person appointed by the Governor with the advice and  
4 consent of the Senate unless that person elects to  
5 participate in this system;

6 (3.1) any person serving as a commissioner of an ethics  
7 commission created under the State Officials and Employees  
8 Ethics Act unless that person elects to participate in this  
9 system with respect to that service as a commissioner;

10 (3.2) any person serving as a part-time employee in any  
11 of the following positions: Legislative Inspector General,  
12 Special Legislative Inspector General, employee of the  
13 Office of the Legislative Inspector General, Executive  
14 Director of the Legislative Ethics Commission, or staff of  
15 the Legislative Ethics Commission, regardless of whether  
16 he or she is in active service on or after July 8, 2004  
17 (the effective date of Public Act 93-685), unless that  
18 person elects to participate in this System with respect to  
19 that service; in this item (3.2), a "part-time employee" is  
20 a person who is not required to work at least 35 hours per  
21 week;

22 (3.3) any person who has made an election under Section  
23 1-123 and who is serving either as legal counsel in the  
24 Office of the Governor or as Chief Deputy Attorney General;

25 (4) except as provided in Section 14-108.2 or  
26 14-108.2c, any person who is covered or eligible to be

1 covered by the Teachers' Retirement System of the State of  
2 Illinois, the State Universities Retirement System, or the  
3 Judges Retirement System of Illinois;

4 (5) an employee of a municipality or any other  
5 political subdivision of the State;

6 (6) any person who becomes an employee after June 30,  
7 1979 as a public service employment program participant  
8 under the Federal Comprehensive Employment and Training  
9 Act and whose wages or fringe benefits are paid in whole or  
10 in part by funds provided under such Act;

11 (7) enrollees of the Illinois Young Adult Conservation  
12 Corps program, administered by the Department of Natural  
13 Resources, authorized grantee pursuant to Title VIII of the  
14 "Comprehensive Employment and Training Act of 1973", 29 USC  
15 993, as now or hereafter amended;

16 (8) enrollees and temporary staff of programs  
17 administered by the Department of Natural Resources under  
18 the Youth Conservation Corps Act of 1970;

19 (9) any person who is a member of any professional  
20 licensing or disciplinary board created under an Act  
21 administered by the Department of Professional Regulation  
22 or a successor agency or created or re-created after the  
23 effective date of this amendatory Act of 1997, and who  
24 receives per diem compensation rather than a salary,  
25 notwithstanding that such per diem compensation is paid by  
26 warrant issued pursuant to a payroll voucher; such persons

1 have never been included in the membership of this System,  
2 and this amendatory Act of 1987 (P.A. 84-1472) is not  
3 intended to effect any change in the status of such  
4 persons;

5 (10) any person who is a member of the Illinois Health  
6 Care Cost Containment Council, and receives per diem  
7 compensation rather than a salary, notwithstanding that  
8 such per diem compensation is paid by warrant issued  
9 pursuant to a payroll voucher; such persons have never been  
10 included in the membership of this System, and this  
11 amendatory Act of 1987 is not intended to effect any change  
12 in the status of such persons;

13 (11) any person who is a member of the Oil and Gas  
14 Board created by Section 1.2 of the Illinois Oil and Gas  
15 Act, and receives per diem compensation rather than a  
16 salary, notwithstanding that such per diem compensation is  
17 paid by warrant issued pursuant to a payroll voucher; or

18 (12) a person employed by the State Board of Higher  
19 Education in a position with the Illinois Century Network  
20 as of June 30, 2004, who remains continuously employed  
21 after that date by the Department of Central Management  
22 Services in a position with the Illinois Century Network  
23 and participates in the Article 15 system with respect to  
24 that employment.

25 (c) An individual who represents or is employed as an  
26 officer or employee of a statewide labor organization that

1 represents members of this System may participate in the System  
2 and shall be deemed an employee, provided that (1) the  
3 individual has previously earned creditable service under this  
4 Article, (2) the individual files with the System an  
5 irrevocable election to become a participant within 6 months  
6 after the effective date of this amendatory Act of the 94th  
7 General Assembly, and (3) the individual does not receive  
8 credit for that employment under any other provisions of this  
9 Code. An employee under this subsection (c) is responsible for  
10 paying to the System both (i) employee contributions based on  
11 the actual compensation received for service with the labor  
12 organization and (ii) employer contributions based on the  
13 percentage of payroll certified by the board; all or any part  
14 of these contributions may be paid on the employee's behalf or  
15 picked up for tax purposes (if authorized under federal law) by  
16 the labor organization.

17 A person who is an employee as defined in this subsection  
18 (c) may establish service credit for similar employment prior  
19 to becoming an employee under this subsection by paying to the  
20 System for that employment the contributions specified in this  
21 subsection, plus interest at the effective rate from the date  
22 of service to the date of payment. However, credit shall not be  
23 granted under this subsection (c) for any such prior employment  
24 for which the applicant received credit under any other  
25 provision of this Code or during which the applicant was on a  
26 leave of absence.

1 (Source: P.A. 93-685, eff. 7-8-04; 93-839, eff. 7-30-04;  
2 93-1069, eff. 1-15-05; 94-1111, eff. 2-27-07.)

3 (40 ILCS 5/14-104.13 new)

4 Sec. 14-104.13. Chicago Metropolitan Agency for Planning;  
5 employee election.

6 (a) Within one year after the effective date of this  
7 Section, a person employed by the Chicago Metropolitan Agency  
8 for Planning (formerly the Regional Planning Board) on the  
9 effective date of this Section who was a member of this System  
10 as an employee of the Chicago Area Transportation Study may  
11 elect to participate in this System for his or her employment  
12 with the Chicago Metropolitan Agency for Planning.

13 (b) An employee who elects to participate in the System  
14 pursuant to subsection (a) may elect to transfer any creditable  
15 service earned by the employee under the Illinois Municipal  
16 Retirement Fund for his or her employment with the Chicago  
17 Metropolitan Agency for Planning (formerly the Regional  
18 Planning Board) upon payment to this System of the amount by  
19 which (1) the employer and employee contributions that would  
20 have been required if the employee had participated in this  
21 System during the period for which the credit under Section  
22 7-139.12 is being transferred, plus interest thereon from the  
23 date of such participation to the date of payment, exceeds (2)  
24 the amounts actually transferred under Section 7-139.12 to this  
25 System.

1           Section 10. The Regional Planning Act is amended by  
2 changing Sections 5, 10, 15, 20, 25, 45, 55, 60, and 65 and by  
3 adding Sections 44, 47, 48, 51, 55, 61, 62, 63, and 65 as  
4 follows:

5           (70 ILCS 1707/5)

6           Sec. 5. Purpose. The General Assembly declares and  
7 determines that a streamlined, consolidated regional planning  
8 agency is necessary in order to plan for the most effective  
9 public and private investments in the northeastern Illinois  
10 region and to better integrate plans for land use and  
11 transportation. The purpose of this Act is to define and  
12 describe the powers and responsibilities of the Chicago  
13 Metropolitan Agency for Planning, a unit of government whose  
14 purpose it is to effectively address the development and  
15 transportation challenges in the northeastern Illinois region.  
16 ~~It is the intent of the General Assembly to consolidate,~~  
17 ~~through an orderly transition, the functions of the~~  
18 ~~Northeastern Illinois Planning Commission (NIPC) and the~~  
19 ~~Chicago Area Transportation Study (CATS) in order to address~~  
20 ~~the development and transportation challenges in the~~  
21 ~~northeastern Illinois region.~~

22           (Source: P.A. 94-510, eff. 8-9-05.)

23           (70 ILCS 1707/10)

1           Sec. 10. Definitions.

2           "Board" means the ~~Regional Planning~~ Board of the Chicago  
3 Metropolitan Agency for Planning.

4           "CMAP" means the Chicago Metropolitan Agency for Planning.

5           ~~"CATS" means the Chicago Area Transportation Study.~~

6           ~~"CATS Policy Committee" means the policy board of the~~  
7 ~~Chicago Area Transportation Study.~~

8           "Chief elected county official" means the Board Chairman in  
9 DuPage, Kane, Kendall, Lake, and McHenry Counties and the  
10 County Executive in Will County.

11          "Fiscal year" means the fiscal year of the State.

12          "IDOT" means the Illinois Department of Transportation.

13          "MPO" means the metropolitan planning organization  
14 designated under 23 U.S.C. 134.

15          "Members" means the members of the ~~Regional Planning~~ Board.

16          ~~"NIPC" means the Northeastern Illinois Planning~~  
17 ~~Commission.~~

18          "Person" means an individual, partnership, firm, public or  
19 private corporation, State agency, transportation agency, or  
20 unit of local government.

21          "Policy Committee" means the decision-making body of the  
22 MPO.

23          "Region" or "northeastern Illinois region" means Cook,  
24 DuPage, Kane, Kendall, Lake, McHenry, and Will Counties.

25          "State agency" means "agency" as defined in Section 1-20 of  
26 the Illinois Administrative Procedure Act.

1       ~~"Transition period" means the period of time the Regional~~  
2 ~~Planning Board takes to fully implement the funding and~~  
3 ~~implementation strategy described under subsection (a) of~~  
4 ~~Section 15.~~

5       "Transportation agency" means the Regional Transportation  
6 Authority and its Service Boards; the Illinois Toll Highway  
7 Authority; the Illinois Department of Transportation; and the  
8 transportation functions of units of local government.

9       "Unit of local government" means a unit of local  
10 government, as defined in Section 1 of Article VII of the  
11 Illinois Constitution, that is located within the jurisdiction  
12 and area of operation of the Board.

13       "USDOT" means the United States Department of  
14 Transportation.

15       (Source: P.A. 94-510, eff. 8-9-05.)

16       (70 ILCS 1707/15)

17       Sec. 15. Chicago Metropolitan Agency for Planning;  
18 structure ~~Regional Planning Board; powers.~~

19       (a) The Chicago Metropolitan Agency for Planning ~~Regional~~  
20 ~~Planning Board~~ is established as a political subdivision, body  
21 politic, and municipal corporation. The Board shall be  
22 responsible for developing and adopting a funding and  
23 implementation strategy for an integrated land use and  
24 transportation planning process for the northeastern Illinois  
25 region. ~~The strategy shall include a process for the orderly~~

1 ~~transition of the CATS Policy Committee to be a standing~~  
2 ~~transportation planning body of the Board and NIPC to be a~~  
3 ~~standing comprehensive planning body of the Board. The CATS~~  
4 ~~Policy Committee and NIPC shall continue to exist and perform~~  
5 ~~their duties throughout the transition period. The strategy~~  
6 ~~must also include recommendations for legislation for~~  
7 ~~transition, which must contain a complete description of~~  
8 ~~recommended comprehensive planning functions of the Board and~~  
9 ~~an associated funding strategy and recommendations related to~~  
10 ~~consolidating the functions of the Board, the CATS Policy~~  
11 ~~Committee, and NIPC. The Board shall submit its strategy to the~~  
12 ~~General Assembly no later than September 1, 2006.~~

13 (b) (Blank.) ~~The Regional Planning Board shall, in addition~~  
14 ~~to those powers enumerated elsewhere in this Act:~~

15 ~~(1) Provide a policy framework under which all regional~~  
16 ~~plans are developed.~~

17 ~~(2) Coordinate regional transportation and land use~~  
18 ~~planning.~~

19 ~~(3) Identify and promote regional priorities.~~

20 ~~(4) Serve as a single point of contact and direct all~~  
21 ~~public involvement activities.~~

22 ~~(5) Create a Citizens' Advisory Committee.~~

23 (c) The Board shall consist of 15 voting members as  
24 follows:

25 (1) One member from DuPage County appointed  
26 cooperatively by the mayors of DuPage County and the chief

1 elected county official of DuPage County.

2 (2) One member representing both Kane and Kendall  
3 Counties appointed cooperatively by the mayors of Kane  
4 County and Kendall County and the chief elected county  
5 officials of Kane County and Kendall County.

6 (3) One member from Lake County appointed  
7 cooperatively by the mayors of Lake County and the chief  
8 elected county official of Lake County.

9 (4) One member from McHenry County appointed  
10 cooperatively by the mayors of McHenry County and the chief  
11 elected county official of McHenry County.

12 (5) One member from Will County appointed  
13 cooperatively by the mayors of Will County and the chief  
14 elected county official of Will County.

15 (6) Five members from the City of Chicago appointed by  
16 the Mayor of the City of Chicago.

17 (7) One member from that portion of Cook County outside  
18 of the City of Chicago appointed by the President of the  
19 Cook County Board of Commissioners.

20 (8) Four members from that portion of Cook County  
21 outside of the City of Chicago appointed, with the consent  
22 of the President of the Cook County Board of Commissioners,  
23 as follows:

24 (i) One by the mayors representing those  
25 communities in Cook County that are outside of the City  
26 of Chicago and north of Devon Avenue.

1 (ii) One by the mayors representing those  
2 communities in Cook County that are outside of the City  
3 of Chicago, south of Devon Avenue, and north of  
4 Interstate 55, and in addition the Village of Summit.

5 (iii) One by the mayors representing those  
6 communities in Cook County that are outside of the City  
7 of Chicago, south of Interstate 55, and west of  
8 Interstate 57, excluding the communities of Summit,  
9 Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and  
10 Tinley Park.

11 (iv) One by the mayors representing those  
12 communities in Cook County that are outside of the City  
13 of Chicago and east of Interstate 57, and, in addition,  
14 the communities of Dixmoor, Posen, Robbins,  
15 Midlothian, Oak Forest, and Tinley Park.

16 The terms of the members initially appointed to the Board shall  
17 begin within 60 days after this Act takes effect.

18 (d) The CMAP Board may ~~CATS Policy Committee and NIPC shall~~  
19 ~~each~~ appoint ~~one of their members to serve as a~~ non-voting  
20 members ~~member~~ of the ~~Regional Planning~~ Board.

21 (e) Concurrence of four-fifths of the Board members in  
22 office is necessary for the Board to take any action, ~~including~~  
23 ~~remanding regional plans with comments to the CATS Policy~~  
24 ~~Committee and NIPC.~~

25 (Source: P.A. 94-510, eff. 8-9-05.)

1 (70 ILCS 1707/20)

2 Sec. 20. Duties. In addition to those duties enumerated  
3 elsewhere in this Act, the ~~Regional Planning~~ Board shall:

4 (a) ~~(1)~~ Hire an executive director to act as the chief  
5 administrative officer and to direct and coordinate all  
6 staff work.

7 (b) Provide a policy framework under which all regional  
8 plans are developed.

9 (c) Coordinate regional transportation and land use  
10 planning.

11 (d) Identify and promote regional priorities. ~~to~~  
12 ~~coordinate staff work of CATS and NIPC. The executive~~  
13 ~~director shall hire a deputy for comprehensive planning and~~  
14 ~~a deputy for transportation planning with the approval of~~  
15 ~~NIPC and the CATS Policy Committee, respectively.~~

16 ~~(2) Merge the staffs of CATS and NIPC into a single~~  
17 ~~staff over a transition period that protects current~~  
18 ~~employees' benefits.~~

19 ~~(3) Secure agreements with funding agencies to provide~~  
20 ~~support for Board operations.~~

21 ~~(4) Develop methods to handle operational and~~  
22 ~~administrative matters relating to the transition,~~  
23 ~~including labor and employment matters, pension benefits,~~  
24 ~~equipment and technology, leases and contracts, office~~  
25 ~~space, and excess property.~~

26 ~~(5) Notwithstanding any other provision of law to the~~

1 ~~contrary, within 180 days after this Act becomes law,~~  
2 ~~locate the staffs of CATS and NIPC within the same office.~~

3 (Source: P.A. 94-510, eff. 8-9-05.)

4 (70 ILCS 1707/25)

5 Sec. 25. Operations.

6 (a) Each appointing authority shall give notice of its  
7 Board appointments to each other appointing authority, to the  
8 Board, and to the Secretary of State. Within 30 days after his  
9 or her appointment and before entering upon the duties of the  
10 office, each Board member shall take and subscribe to the  
11 constitutional oath of office and file it with the Secretary of  
12 State. Board members shall hold office for a term of 4 years or  
13 until successors are appointed and qualified. The terms of the  
14 initial Board members shall expire as follows:

15 (1) The terms of the member from DuPage County and the  
16 member representing both Kane and Kendall Counties shall  
17 expire on July 1, 2007.

18 (2) The terms of those members from Lake, McHenry, and  
19 Will Counties shall expire on July 1, 2009.

20 (3) As designated at the time of appointment, the terms  
21 of 2 members from the City of Chicago shall expire on July  
22 1, 2007 and the terms of 3 members from the City of Chicago  
23 shall expire on July 1, 2009.

24 (4) The term of the member appointed by the President  
25 of the Cook County Board of Commissioners shall expire on

1 July 1, 2007.

2 (5) The terms of those members appointed, with the  
3 consent of the President of the Cook County Board of  
4 Commissioners, by the mayors representing those  
5 communities in Cook County that are outside of the City of  
6 Chicago and north of Devon Avenue shall expire on July 1,  
7 2007.

8 (6) The terms of those members appointed, with the  
9 consent of the President of the Cook County Board of  
10 Commissioners, by the mayors representing those  
11 communities in Cook County that are outside of the City of  
12 Chicago, south of Interstate 55, and west of Interstate 57,  
13 excluding the communities of Summit, Dixmoor, Posen,  
14 Robbins, Midlothian, Oak Forest, and Tinley Park, shall  
15 expire on July 1, 2007.

16 (7) The terms of those members appointed, with the  
17 consent of the President of the Cook County Board of  
18 Commissioners, by the mayor representing those communities  
19 in Cook County that are outside of the City of Chicago,  
20 south of Devon Avenue, and north of Interstate 55, and, in  
21 addition, the Village of Summit, shall expire on July 1,  
22 2009.

23 (8) The terms of those members appointed, with the  
24 consent of the President of the Cook County Board of  
25 Commissioners, by the mayors representing those  
26 communities in Cook County that are outside of the City of

1 Chicago and east of Interstate 57, and, in addition, the  
2 communities of Dixmoor, Posen, Robbins, Midlothian, Oak  
3 Forest, and Tinley Park, shall expire on July 1, 2009.

4 (b) If a vacancy occurs, the appropriate appointing  
5 authority shall fill the vacancy by an appointment for the  
6 unexpired term. Board members shall receive no compensation,  
7 but shall be reimbursed for expenses incurred in the  
8 performance of their duties.

9 (c) The Board shall be so appointed as to represent the  
10 City of Chicago, that part of Cook County outside the City of  
11 Chicago, and that part of the metropolitan region outside of  
12 Cook County on a one man one vote basis. Within 6 months after  
13 the release of each certified federal decennial census, the  
14 Board shall review its composition and, if a change is  
15 necessary in order to comply with the representation  
16 requirements of this subsection (c), shall recommend the  
17 necessary revision for approval by the General Assembly.

18 (d) Regular meetings of the Board shall be held at least  
19 once in each calendar quarter. The time and place of Board  
20 meetings shall be fixed by resolution of the Board. Special  
21 meetings of the Board may be called by the chairman or a  
22 majority of the Board members. A written notice of the time and  
23 place of any special meeting shall be provided to all Board  
24 members at least 3 days prior to the date fixed for the  
25 meeting, except that if the time and place of a special meeting  
26 is fixed at a regular meeting at which all Board members are

1 present, no such written notice is required. A majority of the  
2 Board members in office constitutes a quorum for the purpose of  
3 convening a meeting of the Board.

4 (e) The meetings of the Board shall be held in compliance  
5 with the Open Meetings Act. The Board shall maintain records in  
6 accordance with the provisions of the State Records Act.

7 (f) At its initial meeting and its first regular meeting  
8 after July 1 of each year thereafter, the Board ~~shall appoint~~  
9 from its membership shall appoint a chairman and may appoint  
10 vice chairmen ~~chairman~~ and shall provide the term and duties of  
11 those officers pursuant to its bylaws. ~~The vice chairman shall~~  
12 ~~act as chairman during the absence or disability of the~~  
13 ~~chairman and in case of resignation or death of the chairman.~~  
14 Before entering upon duties of office, the chairman shall  
15 execute a bond with corporate sureties to be approved by the  
16 Board and shall file it with the principal office of the Board.  
17 The bond shall be payable to the Board in whatever penal sum  
18 may be directed and shall be conditioned upon the faithful  
19 performance of the duties of office and the payment of all  
20 money received by the chairman according to law and the orders  
21 of the Board. The Board may appoint, from time to time, an  
22 executive committee and standing and ad hoc committees to  
23 assist in carrying out its responsibilities.

24 (Source: P.A. 94-510, eff. 8-9-05.)

1       Sec. 44. Regional Data and Information Program. CMAP shall  
2 be the authoritative source for regional data collection,  
3 exchange, dissemination, analysis, evaluation, forecasting and  
4 modeling. With the involvement of state, regional, and local  
5 governments and agencies, CMAP shall create and maintain a  
6 timely, ongoing, and coordinated data and information sharing  
7 program that will provide the best available data on the  
8 region. This program shall include a publicly accessible  
9 mechanism for data access and distribution. CMAP's official  
10 forecasts shall be the foundation for all planning in the  
11 region.

12       (70 ILCS 1707/45)

13       Sec. 45. Regional comprehensive plan. At intervals not to  
14 exceed every 5 years, or as needed to be consistent with  
15 federal law, the Board shall develop a regional comprehensive  
16 plan that integrates land use and transportation. The regional  
17 comprehensive plan and any modifications to it shall be  
18 developed cooperatively by the Board, ~~the CATS Policy~~  
19 ~~Committee, and NIPC~~ with the involvement of citizens, units of  
20 local government, business and labor organizations,  
21 environmental organizations, transportation and planning  
22 agencies, State agencies, private and civic organizations,  
23 public and private providers of transportation, and land  
24 preservation agencies. Except any elements of the regional  
25 comprehensive plan or modifications that relate to

1 transportation that shall be developed cooperatively with the  
2 Policy Committee, units ~~Units~~ of local government shall  
3 continue to maintain control over land use and zoning  
4 decisions.

5 Scope of Regional Comprehensive Plan. The Regional  
6 Comprehensive Plan shall present the goals, policies,  
7 guidelines, and recommendations to guide the physical  
8 development of the Region. It shall include, but shall not be  
9 limited to:

10 (a) Official forecasts for overall growth and change and an  
11 evaluation of alternative scenarios for the future of the  
12 Region including alternatives for public and private  
13 investments in housing, economic development, preservation of  
14 natural resources, transportation, water supply, flood  
15 control, sewers, and other physical infrastructure. It shall  
16 present a preferred plan that makes optimum use of public and  
17 private resources to achieve the goals of the Plan.

18 (b) Land use and transportation policies that reflect the  
19 relationship of transportation to land use, economic  
20 development, the environment, air quality, and energy  
21 consumption; foster the efficient movement of people and goods;  
22 coordinate modes of transportation; coordinate planning among  
23 federal agencies, state agencies, transportation agencies, and  
24 local governments; and address the safety and equity of  
25 transportation services across the Region.

26 (c) A plan for a coordinated and integrated transportation

1 system for the region consisting of a multimodal network of  
2 facilities and services to be developed over a 20-year period  
3 to support efficient movement of people and goods. The  
4 transportation system plan shall include statements of minimum  
5 levels of service that describe the performance for each mode  
6 in order to meet the goals and policies of the Plan.

7 (d) A listing of proposed public investment priorities in  
8 transportation and other public facilities and utilities of  
9 regional significance. The list shall include a project  
10 description, an identification of the responsible agency, the  
11 timeframe that the facility or utility is proposed for  
12 construction or installation, an estimate of costs, and sources  
13 of public and private revenue for covering such costs.

14 (e) The criteria and procedures proposed for evaluating and  
15 ranking projects in the Plan and for the allocation of  
16 transportation funds.

17 (f) Measures to best coordinate programs of local  
18 governments, transportation agencies, and State agencies to  
19 promote the goals and policies of the Regional Comprehensive  
20 Plan.

21 (g) Proposals for model ordinances and agreements that may  
22 be enacted by local governments.

23 (h) Recommendations for legislation as may be necessary to  
24 fully implement the Regional Comprehensive Plan.

25 (i) Developing components for regional functional issues  
26 including:

1           (1) A regional housing component that documents the  
2           needs for housing in the region and the extent to which  
3           private-sector and public-sector programs are meeting  
4           those needs; provides the framework for and facilitates  
5           planning for the housing needs of the region, including the  
6           need for affordable housing, especially as it relates to  
7           the location of such housing proximate to job sites, and  
8           develops sound strategies, programs and other actions to  
9           address the need for housing choice throughout the region.

10           (2) A regional freight component, the purpose of which  
11           is to create an efficient system of moving goods that  
12           supports economic growth of the region and sound regional  
13           and community development by identifying investments in  
14           freight facilities of regional, State, and national  
15           significance that will be needed to eliminate existing and  
16           forecasted bottlenecks and inefficiencies in the  
17           functioning of the region's freight network; recommending  
18           improvements in the operation and management of the freight  
19           network; and recommending policies to effect the efficient  
20           multi-modal movement of goods to, through, and from the  
21           region.

22           (3) A component for protecting and enhancing the  
23           environment and the region's natural resources the purpose  
24           of which is to improve the region's environmental health,  
25           quality of life, and community well-being by defining and  
26           protecting environmentally critical areas; encouraging

1 development that does not harm environmentally critical  
2 areas; promoting sustainable land use and transportation  
3 practices and policies by local governments.

4 (4) Optionally, other regional components for services  
5 and facilities, including, but not limited to: water,  
6 sewer, transportation, solid waste, historic preservation,  
7 and flood control. Such plans shall provide additional  
8 goals, policies, guidelines, and supporting analyses that  
9 add detail, and are consistent with, the adopted Regional  
10 Comprehensive Plan.

11 (Source: P.A. 94-510, eff. 8-9-05.)

12 (70 ILCS 1707/47 new)

13 Sec. 47. Developments of Regional Importance. The Board  
14 shall consider the regional and intergovernmental impacts of  
15 proposed major developments, infrastructure investments and  
16 major policies and actions by public and private entities on  
17 natural resources, neighboring communities, and residents. The  
18 Board shall:

19 (a) Define the Scope of Developments of Regional Importance  
20 (DRI) and create an efficient process for reviewing them.

21 (b) Require any DRI project sponsor, which can be either a  
22 public or private entity, to submit information about the  
23 proposed DRI to CMAP and neighboring communities, counties, and  
24 regional planning and transportation agencies for review.

25 (c) Review and comment on a proposed DRI regarding

1 consistency with regional plans and intergovernmental and  
2 regional impacts.

3 The Board shall review applications to change the  
4 boundaries of a waste water facility planning area as an  
5 amendment to the State of Illinois Water Quality Management  
6 Plan required under the federal Clean Water Act when that  
7 review is required under that Act and is requested by the  
8 appropriate designated management agency under the  
9 Environmental Protection Act or the federal Clean Water Act.  
10 Such review shall be consistent with the review process for  
11 DRIs and evaluate the regional impact of proposed boundary  
12 changes.

13 The Board shall complete a review under this Section within  
14 a timeframe established when creating the DRI process. A delay  
15 in the review process either requested or agreed to by the  
16 applicant shall toll the running of the review period. If the  
17 Board fails to complete the review within the required period,  
18 the review fee paid by the applicant under this Section shall  
19 be refunded in full to the applicant. If, however, the  
20 applicant withdraws the application at any time after the Board  
21 commences its review, no part of the review fee shall be  
22 refunded to the applicant.

23 (70 ILCS 1707/48 new)

24 Sec. 48. Incentives for Creating More Sustainable  
25 Communities. CMAP shall establish an incentive program to

1 enable local governments and developers to: create more  
2 affordable workforce housing options near jobs and transit;  
3 create jobs near existing affordable workforce housing; create  
4 transit-oriented development; integrate transportation and  
5 land use planning; provide a range of viable transportation  
6 choices in addition to the car; encourage compact and mixed-use  
7 development; and support neighborhood revitalization. CMAP  
8 shall work with federal, State, regional, and local agencies to  
9 identify funding opportunities for these incentives from  
10 existing and proposed programs.

11 (70 ILCS 1707/51 new)

12 Sec. 51. Certification; cooperation between local and  
13 regional plans; plan review.

14 Certification of regional plan and forecasts. Upon the  
15 adoption of a Regional Plan or segment of a Regional Plan, the  
16 Board shall certify a copy thereof to the State, each  
17 transportation agency and each local government affected by  
18 such plan. CMAP's official forecasts and plans shall be the  
19 foundation for all planning in the region.

20 Agencies to provide information and cooperate. Each local  
21 government, transportation agency, and State agency shall  
22 cooperate with and assist the Board in carrying out its  
23 functions and shall provide to the Board all information  
24 requested by the Board. Counties and municipalities shall  
25 submit copies of any official plans to CMAP, including but not

1 limited to comprehensive, transportation, housing, and capital  
2 improvement plans.

3 Review of county and municipal plans. The Board may review  
4 and comment on proposed county and municipal plans and plan  
5 amendments within its jurisdiction for consistency with the  
6 regional comprehensive plan and maintain a copy of such plans.

7 (70 ILCS 1707/55)

8 Sec. 55. Transportation financial plan.

9 (a) Concurrent with preparation of the regional  
10 transportation and comprehensive plans, the Board shall  
11 prepare and adopt, in cooperation with the ~~CATS~~ Policy  
12 Committee, a transportation financial plan for the region in  
13 accordance with federal and State laws, rules, and regulations.

14 (b) The transportation financial plan shall address the  
15 following matters related to the transportation agencies: (i)  
16 adequacy of funding to meet identified needs; and (ii)  
17 allocation of funds to regional priorities.

18 (c) The transportation financial plan may propose  
19 recommendations for additional funding by the federal  
20 government, the State, or units of local government that may be  
21 necessary to fully implement regional plans.

22 (Source: P.A. 94-510, eff. 8-9-05.)

23 (70 ILCS 1707/60)

24 Sec. 60. Transportation decision-making ~~Metropolitan~~

1 ~~planning organization.~~

2 (a) ~~The~~ ~~It is the intent of this Act that the~~ ~~CATS~~ Policy  
3 Committee, as the Transportation Planning Committee for the  
4 Board, is ~~remain~~ the federally designated Metropolitan  
5 Planning Organization for the Chicago region under the  
6 requirements of federal regulations promulgated by USDOT. The  
7 ~~CATS~~ Policy Committee shall ~~prepare and~~ approve all plans,  
8 reports, and programs required of an MPO, including the  
9 federally mandated Regional Transportation Plan,  
10 Transportation Improvement Program and Unified Work Program.

11 (b) It is the intent of this Act that the transportation  
12 planning and investment decision-making process be fully  
13 integrated into the regional planning process.

14 (c) The Board, in cooperation with local governments and  
15 transportation providers, shall develop and adopt a process for  
16 making the transportation decisions that require final MPO  
17 approval pursuant to federal law. That process shall comply  
18 with all applicable federal requirements. The adopted process  
19 shall ensure that all MPO plans, reports, and programs shall be  
20 approved by the CMAP Board prior to final approval by the MPO.

21 (d) The Board shall continue directly involving local  
22 elected officials in federal program allocation decisions for  
23 the Surface Transportation Program and Congestion Mitigation  
24 and Air Quality funds and in addressing other regional  
25 transportation issues.

26 ~~(b) The processes previously established by the~~ ~~CATS~~ Policy

1 ~~Committee shall be continued as the means by which local~~  
2 ~~elected officials program federal Surface Transportation~~  
3 ~~Program and Congestion, Mitigation, and Air Quality funds and~~  
4 ~~address other regional transportation issues.~~

5 (Source: P.A. 94-510, eff. 8-9-05.)

6 (70 ILCS 1707/61 new)

7 Sec. 61. Agency Designated Planning Grant Recipient and  
8 Other Designations. The Board is eligible to apply for and  
9 receive federal grants for regional planning in the  
10 northeastern Illinois region. The Board shall review  
11 applications requesting significant federal grants to  
12 transportation agencies and local governments based on  
13 criteria including conformity with the Regional Comprehensive  
14 Plan and relevant functional components.

15 (70 ILCS 1707/62 new)

16 Sec. 62. Board Funding. In order to carry out any of the  
17 powers or purposes of CMAP, the Board shall be involved in the  
18 allocation of traditional sources of funds such as those from  
19 the federal Metropolitan Planning Program and CMAQ as well as  
20 non-traditional federal funds consistent with the Board's  
21 broader mission. These funds may be supplemented by fees for  
22 services and by grants from nongovernmental agencies. The Board  
23 may also pursue and accept funding from State, regional, and  
24 local sources in order to meet its planning objectives.

1       Additional funding shall be provided to CMAP to support  
2 those functions and programs authorized by this Act.

3           (70 ILCS 1707/63 new)

4       Sec. 63. Succession; Transfers Related to NIPC. CMAP shall  
5 succeed to all rights and interests of NIPC. Such transfer and  
6 succession shall not limit or restrict any power or authority  
7 of CMAP exercised pursuant to this Act and shall not limit any  
8 rights or obligations of CMAP with respect to any contracts,  
9 agreements, bonds or other indebtedness, right or interest  
10 relating to any cause of action then in existence of NIPC that  
11 shall continue and shall be assumed by CMAP. Funds appropriated  
12 or otherwise made available to NIPC shall become available to  
13 CMAP for the balance of the current State fiscal year for  
14 interim use as determined by CMAP. NIPC shall transfer all of  
15 the records, documents, property, and assets of NIPC to CMAP.

16           (70 ILCS 1707/65)

17       Sec. 65. Annual report. The Board shall prepare, publish,  
18 and distribute a concise ~~an~~ annual report on the region's  
19 progress toward achieving its priorities and on the degree to  
20 which consistency exists between local and regional plans. Any  
21 ~~and any~~ other reports and plans that relate to the purpose of  
22 this Act may also be included.

23       (Source: P.A. 94-510, eff. 8-9-05.)

1 (70 ILCS 1705/Act rep.)

2 Section 15. The Northeastern Illinois Planning Act is  
3 repealed.

4 Section 90. The State Mandates Act is amended by adding  
5 Section 8.31 as follows:

6 (30 ILCS 805/8.31 new)

7 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8  
8 of this Act, no reimbursement by the State is required for the  
9 implementation of any mandate created by this amendatory Act of  
10 the 95th General Assembly.

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law."